

Town Center Area CID Regular Meeting
November 30, 2010
7:30 AM
245 TownPark Drive, Kennesaw, GA

Board Members: Mason Zimmerman, Skip Spann, Kerry O'Brien, Karl Vittery, Kelly Keappler, Russell Rogers
County: Commissioner-elect JoAnn Birrell, Dan McDuff, Mike Wright, Cathy Brown, Faye DiMassimo
Staff: Lanie Shipp, Robert Maddux, Mary Lou Stephens, Joel Stone, Lynn Rainey
Guests: Jim Croy, Greg Teague and Chris Rideout, Croy Engineering; James Hudgins, Tim Preece, Arcadis

Chairman Zimmerman called the meeting to order at 7:35 am.

The Oath of Office for new member Russell Rogers was postponed, as he had not arrived.

Minutes of the October 26, 2010 board meeting were unanimously approved.

Treasurer's Report -Kerry O'Brien reviewed the Financial Reports for the month ending October 31, 2010. **The board unanimously approved the Financial Reports for October and General & Administrative expenses for November in the amount of \$36,190.08, bringing the total of October Expenses to \$378,105.73.** Kerry pointed out two favorable variances (Big Shanty Phase 2 - \$882,500 with project pushed into next fiscal year, and Hidden Forest - \$450,000.) There was also one negative variance (Contingency Reserve Misc - \$154,542.) CID tax revenues collected for November were \$2.2 million. Total Assets are \$6,823,432.57

Executive Director's Report

- Lanie presented a contract proposal for landscaping maintenance by ValleyCrest that was recommended by the Quality of Life Committee at a fee of \$95,856, which is less than this past year but involves more weekly clean up and other changes with emphasis on the recently landscaped areas. The contract was approved 5-0.
- Lanie also explained the ValleyCrest Change Order #1 under Tab 4 regarding the Gateway Grant. The board approved the work to be done in October if the amount was below within the Gateway Grant. ValleyCrest agreed to do the work at a cost of \$38,062 that was within the Gateway-approved grant amount of \$50,000.

Russell Rogers arrived and Attorney Lynn Rainey administered the Oath of Office and Russell was officially welcomed to the Board and there were six voting members for the remainder of the meeting.

- Lanie continued with the next item of her report, which was the discussion of a draft of a Memorandum of Agreement presented by the county, addressing how reimbursements would be made when the county is administrating the construction contract, as they will be on the upcoming Big Shanty Phase 2 project. The CID's benefit of the MOA is to allow the county to extend reimbursement deadlines beyond the current 30 days, if needed. The county's benefit is to have an enforceable payment scheduled. Lynn had reviewed the document and requested changes, most of which were accepted by the county attorney. However due to the intervening holidays, insufficient time had been given to discuss some issues, including concern over the CID's exposure in excess of \$700,000 should the bids exceed the estimate by 10%. Dan McDuff indicated that CCDOT should have no issues with the points made by the CID and felt that the differences could be resolved. He assured the CID board that the county would not sign a construction contract if the CID did not approve the price. The Infrastructure Committee will meet next week to continue work on this document. Dan mentioned the possibility that the MOA might first be adopted by the county and later by this board, if the CID board did not meet again until January. However, if a delay would cause problems with Big Shanty project as it relates to awarding the bid, the board could meet in special session to take action. At this point the estimated cost would not exceed \$7.5 million. It is possible some issues will be resolved after the bids are received this Thursday, December 2. **After full discussion the Infrastructure Committee was directed to meet and work out further details and recommend a final draft to the full board.**

- Lanie presented a request for the CID to join other CID's in contributing to Metro Atlanta Voter Education Network, Inc. ("MAVEN"), a non-profit organization dedicated to educating the public in a nonpartisan factually neutral and accurate manner regarding the State of Georgia Transportation Act of 2010. Lynn reviewed the issues associated with request. **After review of contributions by other CIDs, the Board, on motion by Russell, agreed 6-0 to contribute \$25,000 to MAVEN upon the assurance by MAVEN that the contribution is for education of the public, only, and would not fund advocacy for the passage or defeat of any referendum or ballot question.**
- Lanie reminded the BOD that the **Cobb Delegation meeting would meet next Monday at the Cobb central Library on Roswell Street in Marietta. The TCACID is hosting the Delegation's lunch** and will have the opportunity to present a brief program outlining some of the significant progress by the CID. Jim Croy's team will highlight the Busbee-Frey project. The board will join the delegation at 12:15pm.
- She also reported that TCACID partnered with the CCID to provide lunch for the recent FTA bus tour of the proposed light rail area. Lunch was at KSU and Skip and she both made remarks about the TCACID.

Communications - Mary Lou Stephens highlighted several items that have occurred since the last meeting, including an Outreach event held on the Noonday Creek Trail, with a good number of walkers taking advantage of the trail midday. Outreach Staff used the opportunity to acquaint the walkers with the CID which has brought that portion of the trail to them. Work has begun work on assuring that properties are properly coded for CID taxes by next spring. A number of press articles have occurred, as well as an interview of Lanie on Channel 23 TV. The Georgia Trend article was linked to the website and distributed to a large list of stakeholders. Staff represented the CID at the recent meeting of the Board of Commissioners. The student winners of the Bridge Competition were recognized. Preparation for the Delegation meeting has included new name badges for the CID Directors.

Master Plan - Joel Stone reported the Planning Committee has reviewed the draft of a plan and changes have been made. Immediately following this meeting the county was to meet with the consultants and staff for the plan to be shared with the county for their comments. The final Stakeholders meeting is to be held next week and that is to be the last forum for comments. Then the full BOD will have the draft in their hands in December for their action in January.

Project Reports - Robert Maddux reported on projects currently underway:

- **Barrett Parkway** - Signs up in median and dead shrubbery has been replaced.
- **Noonday Creek Trail along US 41** - Curb replaced. Storm water pipe work completed. Forms for sidewalk just begun. The three issues regarding rail have been addressed. Two of the items were already in the plans so needed no additional attention or expenditure. Those were: 1) protective rail on both sides of the trail where it is closest to the road, to add safety for cyclists; and, 2) using faux rock finish on bridge wall. The third issue was to investigate moving the rail to between the trail and the road but the cost of the improved rail was \$16,000 additional but the larger issue is the obstacle of AT&T ductwork. Essentially it is not possible to obtain the cooperation of AT&T in a timely manner. Some other suggestions involve divergence from the GDOT's standard and thus far haven't proved feasible.
- **Greers Chapel** - Robert Maddux reported on items he felt were overlooked in construction documents and he will review with the Infrastructure Committee at the meeting next week.
- **Landscaping** - The work at the ramps to 75 and the walls at Barrett Parkway were completed this month. It was suggested that before and after pictures be used in various media and on the CID office walls.
- **Big Shanty Connector** - excavating under I-75 at this time

County Remarks - James Hudgins reported that two Field Plan Reviews would be all day on December 15 and 16. The first (Final Field Plan Review) is for Noonday 2C (from Barrett Lakes at Duncan to Bells Ferry) which is scheduled for letting in May. The second (Preliminary Field Plan Review) is for the GDOT review on I-575 at Barrett

and Mall Blvd (three months ahead). The May letting for the LCI (Noonday 2C) is within the necessary time frame to keep the almost \$3 million grant. James and Dan indicated that GDOT is in agreement with plan of action and the date will be made.

At Mason's request Dan McDuff briefly explained the ATMS for Russell's benefit. Plans are completed and should be ready to let early next year and implementation likely to be about six months.

Mason announced that the next meeting is January 25, 2011 at 7:30 A.M.

With no further business, the meeting was adjourned at 8:53 A.M.

APPROVED BY THE BOARD this _____ day of _____, 2010.

Lanie Shipp, Executive Director